THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.6278 of 2006

Dated:10.04.2006

Between:
Y.Niranjan Reddy.

..... PETITIONER

AND

The State of Andhra Pradesh, rep. by its Secretary to Registration and Stamps Department, Secretariat, Hyderabad, and another.

.....RESPONDENT

THE HON'BLE MR JUSTICE V.V.S.RAO

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ORDER:

The petitioner is allegedly the owner of the land admeasuring Ac.3.00 in Survey No.76/2D-Ru, Nallamani Kaluva, Vemuru, Tirupati Rural Mandal, Chittoor District. He wants to sell away the said land to the intending purchasers. He allegedly approached the second respondent for registration of the document. The petitioner alleges that he was informed that in view of the instructions from the Revenue Department the demand for registration cannot be accepted. Aggrieved by the same, the present writ petition is filed.

Heard the learned Counsel for the petitioner and the learned Assistant Government Pleader for Revenue (General). As rightly pointed out by the learned Assistant Government Pleader, this Writ Petition is filed without any proper cause of action. No details are given in the affidavit as to when the petitioner purchased the stamp papers and as to when he presented the document for registration. On such vague allegation, the writ petition cannot be entertained.

Therefore, liberty is given to the petitioner to present the purportedly executed sale deed and stamp papers to the second respondent, who is directed to give reasons if the document is not accepted for registration. If the second respondent refuses to register and gives reasons, it shall be open to the petitioner to file an appeal before the District Registrar under Section 72 of the Registration Act, 1908. And even if the petitioner is unsuccessful before the District Registrar, his remedy is to file a suit under Section 77 of the Registration Act.

The Writ Petition is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

10.04.2006
vs